

## Message Text

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ACTION IO-10

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E.O. 11652: N/A

TAGS: EFIN, INGA, ECOSOC

SUBJ: INTERSESSIONAL COMMITTEE ON TRANSNATIONAL  
CORPORATIONS (TNCS)

1. US DEL MADE FOLLOWING STATEMENT AT MORNING SESSION OF  
THE SPECIAL INTERSESSIONAL COMMITTEE ON TNCS:

"MY DELEGATION WOULD ALSO LIKE TO THANK THE DELEGATION  
OF YUGOSLAVIA AND THE OTHER DELEGATIONS INTRODUCING THIS  
RES FOR THEIR CONTRIBUTION TO WORK OF THIS COMMITTEE.  
WE BELIEVE THIS DRAFT CAN PROVIDE AN EXCELLENT BASIS FOR  
FURTHERING THE WORK OF THIS COMMITTEE. THE U.S.G.  
APPROVES THE GENERAL OUTLINES OF THE DRAFT RES AND COULD  
SUPPORT MOST OF THE PROCEDURAL MEASURES WHICH IT CONTAINS FOR  
ESTABLISHING THE NECESSARY MACHINERY TO ASSIST THE  
ECONOMIC AND SOCIAL COUNCIL IN ITS WORK RELATING TO MNE.  
I MIGHT REPEAT THE STATEMENT I MADE EARLIER IN THIS SESSION  
THAT MY GOVERNMENT SUPPORTS THE EFFORTS OF THIS COMMITTEE TO  
ESTABLISH THAT MACHINERY.

THERE ARE, HOWEVER, SEVERAL DETAILS IN THE DRAFT RES  
WHICH THE U.S.G. BELIEVES COULD SERIOUSLY PREJUDICE THE  
EFFECTIVE AND COOPERATIVE WORK OF THE COMMISSION, AND  
EVENTUALLY OF THE ECONOMIC AND SOCIAL COUNCIL ITSELF,  
IN THIS IMPORTANT AREA. IN ORDER TO MAKE CLEAR OUR PRINCIPAL  
CONCERNS, I SHOULD LIKE TO REFER SPECIFICALLY  
TO SOME OF THESE DETAILS: (1) WHILE WE AGREE THAT THE  
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COMMISSION SHOULD HAVE BROAD AND FAIR GEOGRAPHIC

DISTRIBUTION WE ARE CONVINCED THAT IT MUST ALSO REFLECT A FAIR BALANCE - THOUGH NOT NECESSARILY AN EQUAL BALANCE - AS BETWEEN HOST AND HOME COUNTRIES AND AS BETWEEN DEVELOPED AND DEVELOPING COUNTRIES. WE THEREFORE BELIEVE THAT THESE OBJECTIVES MUST BE EXPRESSLY REFLECTED IN THE RES.

(2) WE BELIEVE THAT THE INCLUSION OF EXPERTS ACTING IN THEIR CAPACITY AS PRIVATE INDIVIDUALS IN THE WORK OF THE COMMISSION IS A MOST IMPORTANT ELEMENT OF THE COMMISSION MACHINERY. IT CANNOT, THEREFORE, BE LEFT TO THE DISCRETION OF THE COMMISSION ITSELF BUT SHOULD BE EXPRESSLY PROVIDED FOR IN THE RES. (3) AS WE HAVE STATED EARLIER, WE HAVE STRONG DOUBTS AS TO THE ADVISIBILITY OF ATTEMPTING AT THIS TIME TO DEVELOP A CODE OF CONDUCT. WE ARE WILLING, HOWEVER, FOR THIS SUBJECT TO BE CONSIDERED BY THE COMMISSION SO LONG AS THE RES MAKES IT CLEAR - AS WE DO NOT BELIEVE IT NOW DOES - THAT ANY SUCH CODE OF CONDUCT WOULD CONTAIN PROVISIONS DIRECTED TO COUNTRIES AS WELL AS TO ENTERPRISES, AND WE BELIEVE THE PROPOSAL OF THE DISTINGUISHED DEL OF JAPAN IS A USEFUL CONTRIBUTION. ONLY IN THIS WAY COULD A CODE OF CONDUCT MAKE A SERIOUS CONTRIBUTION TO THE RESOLUTION OF THE DIFFERENT INTERESTS INVOLVED. (4) WE AGREE WITH DISTINGUISHED DELEGATE OF THE UK THAT THE CENTER SHOULD ACT UNDER THE GENERAL GUIDANCE OF COMMISSION AND THAT THIS SHOULD BE MADE EXPRESS IN THE RES.

(5) MY GOVERNMENT ALSO BELIEVES THAT IT WOULD BE IN-APPROPRIATE AT THIS TIME TO CONSIDER THE ISSUES RAISED BY PARA 7 OF THE DRAFT RES CONCERNING A WORK PROGRAM AND PRIORITIES FOR THE COMMISSION. IN THE FIRST PLACE, WE FEEL THAT PARA 3 (F) OF THE DRAFT RES ASSIGNS THIS TASK TO THE COMMISSION WHICH WE FEEL IS ENTIRELY APPROPRIATE. IF, ON THE CONTRARY, THESE ISSUES ARE TAKEN UP IN THIS COMMITTEE, THE GENERAL DEBATE ON THESE ISSUES WHICH OCCURRED LAST SUMMER IN GENEVA WOULD HAVE TO BE REOPENED. I BELIEVE THE POSITION OF THE USG ON THESE MATTERS, WHICH WAS EXPRESSED AT LENGTH IN GENEVA, IS WELL KNOWN TO ALL DELEGATIONS. OUR POSITION HAS NOT CHANGED SINCE LAST SUMMER. WE CONSIDER THE CONTENTS OF PARA 7 IN ITS PRESENT FORM TO BE EXTREMELY UNBALANCED AND UNNECESSARILY NEGATIVE. IN PARTICULAR, WE BY NO MEANS AGREE THAT THE ITEMS SET FORTH ARE THE MOST UNCLASSIFIED

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IMPORTANT ISSUES TO BE TAKEN UP BY THE COMMISSION, AND WE SEE LITTLE PROSPECT OF RACHING AGREEMENT AT THIS SESSION AS TO WHAT THE MOST IMPORTANT ISSUES ARE. THEREFORE, WE COULD NOT SUPPORT PARA 7 IN ITS PRESENT FORM. INSTEAD, WE WOULD SUGGEST ITS DELETION SO FAR AS TO PERMIT THE COMMISSION ITSELF TO ESTABLISH A WORK PROGRAM AND PRIORITIES. IF CHANGES OF THE NATURE I HAVE REFERRED TO CAN BE MADE - AND

MY DELEGATION IS PREPARED TO PARTICIPATE IN ANY FORMAL OR INFORMAL DRAFTING SESSIONS OR CONSULTATIONS FOR THAT PURPOSE - I BELIEVE THAT MY GOVERNMENT WOULD BE PREPARED TO GIVE FAVORABLE CONSIDERATION TO THIS DRAFT RES. OTHERWISE, WE DO NOT FEEL THAT THE DRAFT RES WOULD PROVIDE A BASIS FOR CONSTRUCTIVE AND FRUITFUL WORK BY THE COMMISSION. FOR THAT REASON I BELIEVE MY GOVERNMENT WOULD NOT FIND IT ACCEPTABLE AND COULD NOT SUPPORT IT. END STATEMENT.

2. VARIOUS OTHER DC DELEGATION PROPOSED AMENDMENTS SIMILIAR TO THOSE WE WOULD WANT, AND WHILE WE MAY NOT HAVE THEIR FULL SUPPORT FOR OUR POSITION, THEY HAVE TAKEN NO OBJECTION TO IT.

' A NUMBER OF LDCS DELEGATIONS PROPOSED AMENDMENTS, ONLY A FEW OF WHICH WOULD MAKE THE DRAFT LESS ACCEPTABLE TO US."  
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